

## **REMARKS**

In the Office Action mailed April 17, 2008, the Examiner noted that claims 1-4, 6, and 8-21 were pending in the application and rejected claims 1-4, 6, and 8-21. Claims 1, 3, 4, 6, and 12-21 have been amended, claim 23 has been added; and thus in view of the foregoing claims 1-4, 6, 8-21 and 23 remain pending for reconsideration which is requested. No new matter is believed to be added. The Examiner's rejections are respectfully traversed below.

### **Rejection under 35 U.S.C. §101**

In item 2 on page 10 of the Office Action, claims 1-4, 6, and 8-18 were rejected under 35 U.S.C. § 101 because the claims were directed toward non-statutory subject matter. It is submitted that claim 1 and its dependent claims as amended, fall within one of the four-statutory categories. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

### **Rejection under 35 U.S.C. § 112, second paragraph**

In item 1 on page 9 of the Office Action, claims 1-4, 6, and 8-18 were rejected under 35 U.S.C. §112, second paragraph "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." It is submitted that claim 1 and its dependent claims as amended are no longer indefinite. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

### **Rejection under 35 U.S.C. § 103(a)**

In item 3 on page 12 of the Office Action, claims 1-4, 6, and 8-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Li et al. (US 6631496) (hereinafter "Li") in view of Chung et al. (US 6012090) (hereinafter "Chung"). This rejection is respectfully traversed.

Claim 1 relates to a computer implemented apparatus for managing addresses of web sites having an updating section which updates an address list by performing the following unique function: "if no connection trial is made over a predetermined time period with respect to one of the addresses contained in said address list, said updating section tries to access each of the addresses contained in said address list." Li is directed to a system for personalizing, organizing and managing web information, specifically allowing a user to organize and manage bookmarked URLs. (See Abstract) Li discloses "A user can set a preference for automated removal of 'dead links' or 'inactive' bookmarks, whose access frequency is lower than a preset threshold value." (See Li, col. 11, lines 30-33.) However, Li fails to disclose "if no connection

trial is made over a predetermined time period with respect to one of the addresses contained in said address list, said updating section tries to access each of the addresses contained in said address list.” In addition, page 13 of the Office expressly admits that Li does not disclose “if the number of times the access failure has occurred with respect to one of the addresses contained in said address list becomes equal to a predetermined threshold value, said updating section deletes the one of the addresses from said address list.”

Chung is directed to a method and apparatus providing access to information over a communication network such as the Internet, specifically allowing a user to organize requests based on group names and invoke access to multiple related network services in case one is unavailable. (See col. 2, lines 33-43). Page 13 of the Office Action cited col. 7, line 38 – col. 8, line 9 of Chung as disclosing a retry mechanism. Chung refers to “same-site retry access” to “allow a user to specify during the registration process, retry parameters including a timeout period, a retry period and a maximum number of retries, for each of the network service identifiers in a given group. The same-site retry mode is particularly well-suited for situations in which a user has a **strong preference for a primary site in a selected group, and the unavailability of that site is likely to be transient in nature.**” Page 7 of the Office Action refers to Chung which discloses “When a particular service request is submitted over a TCP/IP connection to the corresponding server, it may not receive a response for any of a number of different reasons, such as network congestion, server overload, server failure and the like. Because many of these problems are transient in nature, resubmitting the same request at a different time can often bypass the problem.” However, this disclosure fails to solve the problem associated in claim 1 related to deleting website addresses which are have been “relocated or extinguished” because Chung only refers to a **temporary** solution for attempting to gather related information from a **temporarily unavailable or “transient”** related network service. However, as seen in Fig. 5 and para. [0057] of the patent application publication, “connection trials records” occur on a number of different dates over a month’s time and “trials for connection to a URL <http://www.yyy.ne.jp> resulted in failure continuously on the 7<sup>th</sup> and 10<sup>th</sup> of March.” Thus, claim 1 is not directed at transient or temporary solution to retrieving related information from a similar or related website, but a more long term solution of removing a removed website address.

Thus, one of ordinary skill in the art at the time of invention would not be motivated by col. 7, line 65 – col. 8, line 10 and col. 3, line 23-30 to apply the teachings of Chung to Li related to “round robin DNS routing” and “server load balancing...by translating a single host domain name to IP addresses of different servers in a round robin fashion” as described in NCSA’s

World Wide Web Server: Design and Performance, IEEE Computer. pp. 68-74, Nov. 1995. Chung discloses methods of obtaining similar information from multiple sources when one source is **transiently unavailable as measured in increments of milliseconds or seconds** such as weather information, winning lottery numbers, or stock quotes while claim 1 recites removing a permanently unavailable source for which there is no readily available substitute by “delet[ing] an address from said address list if the number of times failure has occurred continuously becomes equal to a predetermined threshold value by failure of said tries so as to **delete an address of a relocated or extinguished Web site** from said address list.” (See Chung col. 7, line 9 – col. 8, line 53 of Chung, See also RFC 1122 published in 1989, page 94 and 95 available at <http://tools.ietf.org/html/rfc1122>).

In light of the foregoing, Applicants respectfully submit that independent claims 1 and 19-21 are patentable over the references, as neither Li nor Chung, either alone or in combination, discloses or suggests the above identified feature of claim 1. For the reasons above, it is submitted that dependent claims 2-4, 6, and 8-18, which depend from claim 1, are patentably distinguishable over Li and Chung, individually or in combination. The dependent claims also recite additional features not taught or suggested by Chung or Li. For example, claim 15 recites “the access frequency is the number of **occurrences of access in a unit number of days**, and said updating section is activated when the date is changed.” In particular, Chung does not expressly or implicitly teach allowing a user to maintain a retry period calculable in days as Chung teaches solving “transient” problems. It is submitted that the dependent claims are independently patentable over Chung and Li.

Applicants respectfully submit that new claim 23 is patentable over the references, as neither Li nor Chung, alone or in combination teaches:

adding a more frequently visited website address to an intelligent favorite list when frequency of access over a time period by the user becomes equal to or greater than a first threshold value;

deleting a less frequently visited website address from the intelligent favorite list when frequency of access over a time period by the user becomes less than a second threshold value; and

**deleting an unreachable website address from the intelligent favorite list when a number of failures to access the unreachable website address equals at least a third threshold value measured over a time period of at least one day.**

It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is

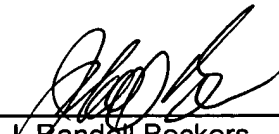
requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 8/10/13

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